

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

BOARD OF TRUSTEES
OF THE OHIO LABORERS'
FRINGE BENEFITS PROGRAMS,

Plaintiff,

v.

Case No. 2:16-cv-1202
CHIEF JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Kimberly A. Jolson

CJ&L CONSTRUCTION INC.,
et al.,

Defendants.

ORDER

On February 2, 2017, the Magistrate Judge issued a Report and Recommendation in this case recommending that Plaintiff's Motion for Default Judgment (ECF No. 6) be granted. (ECF No. 8.) The Report and Recommendation advised the parties that failure to object within fourteen days would result in a waiver of review. The time period for objections has run and no party has objected to the Report and Recommendation. Accordingly, the Report and Recommendation is **ADOPTED**.

Specifically, Plaintiff's Motion for Default Judgment against Defendant CJ&L Construction, Inc. is **GRANTED** and the claims against Defendant James Kossen are **DISMISSED**. The Clerk is directed to enter judgment against Defendant CJ&L Construction, Inc. and in the favor of Plaintiff in the amount of Twelve Thousand Eight Hundred Thirty Six Dollars and Ninety-Seven Cents (\$12,836.97), including unpaid fringe benefit contributions from September 2016 through January 14, 2017, and prejudgment interest and liquidated damages, plus attorneys' fees of One Thousand Nine Hundred Sixty Dollars and No Cents (\$1,960.00),

plus interest from the time of judgment at the rate of 1% per month, and the costs of this action as provided for by ERISA Section 502(g)(2), 29 U.S.C. § 1132(g)(2), and the collective bargaining agreement.

IT IS SO ORDERED.

2-17-2017
DATE

EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE